

**EMD MILLIPORE CORPORATION'S
RESPONSE TO EPA'S MARCH 28, 2019 REQUEST FOR INFORMATION
REGARDING THE PROTECO SITE, PENUELAS, PUERTO RICO**

May 23, 2019

EMD Millipore Corporation ("Millipore" or "Company") hereby provides the following information in response to the United States Environmental Protection Agency's Request for information dated March 28, 2019 regarding the PROTECO Site in Penuelas, Puerto Rico (the "Request"). As part of this response, Millipore is also enclosing documents bates stamped as document #'s MIL000001 through MIL004832. Please note that EPA granted Millipore an extension of time until May 24, 2019 to respond to the Request. Each response is subject to the General Objections set forth in Attachment A, hereto.

1. Answer the following questions regarding the Company:
 - a. State the correct legal name and mailing address for the Company;
 - b. State the name(s) and address(es) of the President, Chief Executive Officer, and the Chairman of the Board (or other presiding officer) of the Company;
 - c. Identify the state/commonwealth and date of incorporation of the Company and the name of its agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different; and
 - d. Identify any successor corporations, predecessor corporations, or other entities related to the Company. If the Company is or was a subsidiary or affiliate of another corporation or other entity, identify each of those other entities' Chief Executive Officers, Presidents, and Chairpersons of the Board. Identify the state/commonwealth of incorporation and agents for service of process in the state/commonwealth of incorporation and in Puerto Rico, if different, for each entity identified in your response to this question.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

- a. **The legal name and mailing address for the Company is:**

**EMD Millipore Corporation
400 Summit Drive
Burlington, MA 01803**

- b. **The President and CEO of the Company is:**

**Udit Batra
President & Chief Executive Officer
EMD Millipore Corporation
400 Summit Drive**

Burlington, MA 01803

- c. The Company was incorporated on May 3, 1954 in the state of Massachusetts. The Massachusetts registered agent is Corporation Service Company. The Puerto Rico registered agent is the Prentice-Hall Corporation System of Puerto Rico, Inc.**
- d. In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only as it relates to the facility located at or about State Road 172, KM 7.7, Bo, Certenejas, Cidra, Puerto Rico 00739 (the “Facility”), as follows:**

It is Millipore’s belief that Millipore Cidra Inc. (“Millipore Cidra”) operated at the Facility from 1978 until 2008 and owned the Facility from 1978 to 2006. In 2008, the year Millipore Cidra ceased operations at the Facility, Millipore Cidra Inc. merged into Millipore Corporation. Millipore Corporation was acquired by Merck KGaA, Darmstadt, Germany on July 15, 2010. Millipore Corporation changed its name to EMD Millipore Corporation on January 1, 2012. See attached Certificate of Good Standing marked as document # MIL004755.

- 2. State the corporate history of the Company, including all name changes and mergers. List all names under which the Company has operated and has been incorporated. For each other name, provide the following information:**
 - a. Whether that other company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;**
 - b. Names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and**
 - c. Names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of that other company.**

- a. ANSWER:**

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a

hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only as it relates to the Facility, as follows:

Millipore Filter Corporation was formed on May 3, 1954. Millipore Filter Corporation changed its name to Millipore Corporation on October 20, 1966. Millipore Cidra, Inc. was formed August 8, 1977 and on April 26, 2008 was merged with Millipore Corporation, with the latter surviving. Millipore Corporation changed its name to EMD Millipore Corporation on January 1, 2012 and continues to exist.

- a. For additional information about EDM Millipore Corporation’s registered agents and subsidiaries as requested in subpart (b) and (c) see response to #1.**
 - b. See response to #1.**
 - c. See response to #1.**
- 3. Identify all changes in ownership relating to the Company from its date of incorporation to the present, including the date of any ownership change. If any owner was/is a corporation, identify if the corporation was a subsidiary or division of another corporation. In your identification of any corporation, it is requested that you provide the full corporate name, the state/commonwealth of incorporation, and all fictitious names used/held by that corporation.**

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only as it relates to the Facility, as follows:

See Millipore’s responses to #’s 1 and 2.

- 4. For each owner that is a subsidiary of another corporation identified in your answer to Request #3, above, please provide a chart that details the corporate structure from that other company through all intermediary entities to the ultimate corporate parent. For purposes of this information request, the term "ultimate corporate parent" means the corporate entity that, while owning or controlling the majority of the shares of common stock in a subsidiary corporation, is not primarily owned/controlled by another corporation.**

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only as it relates to the Facility, as follows:

See responses to #'s 1 and 2.

Merck KGaA, Darmstadt, Germany produces an annual report which lists all of its subsidiaries including EMD Millipore Corporation. Due to the size of the document we will not be producing it with this response. However the report is available at the following link:

https://www.emdgroup.com/en/annualreport/2018/sites/default/files/downloads/emd/emd_annual_report_2018.pdf

5. Provide copies of the Company's authority to do business in Puerto Rico. Include all authorizations, withdrawals, suspensions, and reinstatements.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Millipore has been unable to locate any documents related to company's authority to do business in Puerto Rico.

6. State the dates during which the Company owned, operated, or leased any portion of the Facility, and provide copies of all documents evidencing or relating to such ownership, operation, or lease, including but not limited to purchase and sale agreements, deeds, leases, etc.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Based on Millipore's review of applicable records and historical documents, it is Millipore's belief that Millipore Cidra operated at the Facility from 1978 until 2008 and owned the Facility from 1978 to 2006. Millipore Cidra leased the Facility from 2006 to 2008.

See the attached Deed of Purchase and Sale Agreement marked as document #'s MIL000001 through MIL000009 and the Lease Agreement marked as document #'s MIL000058 through MIL000078.

7. Indicate whether the Company has ever operated at a location other than the Facility. If yes, provide the correct names and addresses of the Company's other facilities where the Company carried out its operations.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography or time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers as follows:

Millipore has multiple facilities and offices throughout the United States. Millipore, however, has not owned or operated any other facilities in Puerto Rico other than the Facility.

8. Describe in detail the nature of the business and the operations conducted at the Facility and at any locations identified in response to Request #7, above, during the period that the Company operated there. Provide a brief description of the Company's operations at each facility, including the following:
- a. The date such operations commenced and concluded; and
 - b. The types of work performed at each facility, including but not limited to the industrial, chemical, or institutional processes and treatments undertaken at each facility.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Included with this response at Doc #s MIL000081 through MIL000191 is a copy of a RCRA Facility Investigation Report (Consolidated) prepared by Anderson Mulholland & Associates, dated July 2014 (the “RCRA FIR”). The RCRA FIR was previously submitted to U.S. EPA via letter of July 28, 2014, and is also attached hereto at Doc #s MIL000079 through MIL000080. At this time, Millipore does not have any reason to believe that the

information contained in the RCRA FIR is inaccurate. The RCRA FIR provides the following with regard to the nature of the business and the operations conducted at the Facility, chemicals used at the Facility, and the wastes generated at the Facility by Millipore Cidra:

Millipore commenced manufacturing operations at the facility in January 1978. The land was previously undeveloped and was used for agricultural purposes. The site was sold to MultiPlazas de Puerto Rico, Inc. of San Juan, Puerto Rico ("Multiplazas") in December 2006. However, Millipore continued operating the facility under a lease agreement with Multiplazas, until March 2008.

The site encompasses approximately thirty-one (31) acres of land, enclosed by a chain link fence, on which three buildings were constructed. These buildings housed manufacturing/ operational areas, offices, and a cafeteria. The manufacturing building extended about 420 feet in a north-south direction and about 290 feet in an east-west direction and was generally rectangular in outline. The northern boundary of the facility is at PR Road 172.

The site has been unoccupied since Millipore ceased operations in March 2008 with no apparent construction or other development activities.

Millipore Cidra manufactured and tested thin, precise membrane filters. Millipore produced microporous membranes used for filtration in medical, pharmaceutical, and food industries, and in laboratory applications. The membrane was produced on several casting-machines using the following process. A lacquer mix was prepared using butanol, ethanol, acetone, water, glycerin, and nitrocellulose. The lacquer was pumped to a coater or knife box, which deposited a controlled, continuous thin layer on top of a stainless steel conveyor belt or moving web. The conveyor passed through a curing chamber in which most of the solvents and water were evaporated at a controlled rate by a flow of conditioned air, leaving the polymer, which formed the filter structure on the belt. The resultant non-halogenated organic solvent airborne vapor, water vapor, and air from the casting process was sent directly to a regenerative thermal oxidizer and oxidized prior to emission. Following the chamber, the membrane was taken from the belt through a water/SDBS detergent extraction pan to remove residual particulate matter. The water overflow from the pans, which may have contained trace levels of residual solvent, excess glycerin, and detergent, was sent first to an air stripper for removal of solvent (which was exhausted to the thermal oxidizer) and then to the wastewater treatment facility. The filter was dried by electrically or steam heated drums and then slit into rolls and placed in storage.

Hazardous waste was generated at a number of locations at the Millipore facility. All hazardous waste was segregated at the point of generation, placed into proper containers, and transferred to the Hazardous Waste Container Storage Area (HWCSA). Containers were stored at the HWCSA for periods less than 90 days and were shipped off site to an approved RCRA treatment, storage, and disposal (TSD)

facility. Hazardous waste did not enter the process wastewater collection system. Primary areas of hazardous waste generation are described below:

- **Membrane manufacturing process area** – Hazardous wastes generated in this area include residual lacquer and mixing solutions from mixing pots, spent lacquer filter media, ethanol belt cleaning solution, and wet scrap membrane. Wastes generated in this area were classified as D001/F003. Also, dry scrap membrane was classified as D003 as per a stipulation of PREQB.
- **Chemical laboratories** – Small quantities of hazardous laboratory waste were generated at various locations within the manufacturing building. Wastes included organic and corrosive wastes as well as lab packs of off-spec or expired materials. The laboratories generated halogenated and non-halogenated solvents as well as TCLP metals. The wastes generated by the laboratories included, but were not limited to, the following: methanol; ethanol; acetonitrile; isopropyl alcohol; acetone; ethyl acetate; isobutyl alcohol; pyridine; toluene; mercury iodide; sodium chloride; lead nitrate; silver nitrate; and potassium chromate. Hazardous wastes were classified as D-, F-, and U-wastes.
- **Gridding area** - Small volumes of spent solvent were generated in the gridding machine cleaning process. This waste was classified as D001.

Millipore operated a wastewater treatment plant (WWTP) for the treatment of sanitary and process wastewater generated at the Facility. The WWTP never accepted hazardous wastewater. Wastewater treated at the WWTP was generated at a number of facility areas and included:

- **Membrane casting area process wastewater** – As part of the membrane manufacturing process, finished membrane passed through a water bath prior to drying in order to remove excess particulate matter. Bath water was periodically flushed to the wastewater collection system. This water may have contained trace levels of solvent. The water passed through an air stripper prior to discharge to the WWTP in order to reduce organic loadings (i.e., chemical oxygen demand) and maintain optimal performance of the WWTP.
- **IVEX filter integrity test water flush** – In this process, filters manufactured for medical applications were tested by passing high purity water through the filters. Used water was discharged to the wastewater treatment plant. This water was not contaminated.
- **Manufacturing equipment wash water.**

- Non-contact cooling water blowdown, boiler blowdown, and reverse osmosis system backwash.
- Sanitary and cafeteria wastewater.

The Millipore WWTP provided biological treatment to sanitary and process wastewater generated at the facility. The WWTP was designed to treat 50,000 gallons per day (gpd) of wastewater. Treatment consisted of an extended aeration process, which included the following treatment processes: flow equalization and pre-aeration; trickling filtration; biological treatment by activated sludge; clarification; chlorination; and post-aeration. Treated wastewater flowed through a Parshall flume where its flow rate was continuously monitored and recorded. Sludge generated in the process was treated by aerobic digestion and dewatered using a filter press prior to off-site disposal in a landfill. All treatment units were either above ground or in-ground tanks constructed of steel or fiberglass. Treated effluent was discharged from a distribution box to an on-site leach field in accordance with an Underground Injection Control Permit.

The RCRA FIR is one of several reports being produced in response to the Request which focus on the environmental condition, investigation, and remediation of the Facility. These reports were generated as part of the RCRA Facility Investigation conducted at the Facility and overseen by U.S. EPA, which issued a No Further Action letter to Millipore in 2014. These other reports also include information regarding the nature of the business and the operations conducted at the Facility, chemicals used at the Facility, and the wastes generated at the Facility by Millipore Cidra. In an effort to reduce the volume of documents being produced and with the understanding that most of these documents have previously been submitted to EPA, Millipore has not included the tables, figures, and appendices to these reports, along with other more technical reports, such as groundwater monitoring reports, which provide no information regarding the nature of the business and operations conducted at the Facility, chemicals used at the Facility, and the wastes generated at the Facility. If EPA would like Millipore to produce such documents, Millipore is willing to discuss this with EPA.

Millipore is also producing in response to the Request a number of other documents it has located in its files regarding hazardous substances used, generated, treated, stored, disposed of, manufactured, recycled, recovered, treated, or otherwise processed during the Company's operations at the Facility. For example, at Document #'s MIL004233 through MIL004595 and MIL004620 through MIL004666, are copies of the reports the Facility filed pursuant to the Emergency Planning and Community Right-to-Know Act ("EPCRA").

9. Describe how the Company came to possess the hazardous substances that came to be located at the Site.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Millipore's operations at the Facility generated hazardous substances, some of which appear to have been sent to the Proteco facility in Penuelas, PR (the "Site").

10. List all hazardous substances used, generated, treated, stored, disposed of, manufactured, recycled, recovered, treated, or otherwise processed during the Company's operations at the Facility.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information "relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup." Subject to these objections, Millipore answers as follows:

See response to #8.

11. List and fully describe all waste streams generated from the Company's operations, including solid, liquid, or any other type of waste.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography or time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information "relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup." Subject to these objections, Millipore answers only with regard to the Facility as follows:

See response to #8.

12. Describe in detail the handling, storage, and disposal practices employed by the Company for each waste stream resulting from the Company's operations.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography or time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only with regard to the Facility as follows:

See response to #8.

13. Identify all individuals who had responsibility for the Company's environmental and waste management decisions between 1975 and 1999 (e.g., responsibility for decisions regarding the disposal, treatment, storage, recycling, or sale of the Company's hazardous substances, hazardous wastes, and industrial wastes).
 - a. Provide each such individual's job title, duties, dates performing those duties, supervisors for those duties, current position, and if applicable, the date of the individual's resignation or termination.
 - b. Provide the nature of the information possessed by each such individual concerning the Company's waste management.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only with regard to the Millipore corporate level employees who have ultimate responsibility for the Company's environmental and waste management decisions, as follows:

- **Patricia Davies, Corporate Director EHS. 1987 – 2000.**
- **David Newman, Head of Sustainability, EHS. 2003 – 2011.**

None of these individuals are currently employed at Millipore. Millipore is attempting to obtain the last known contact information for such persons, and will supplement this response with any available information. Millipore has not contacted any of these former employees in forming this response; therefore, Millipore is unaware of the extent of

information these individuals may or may not possess on this topic. Additional people listed in response to request #25 may have knowledge regarding the waste management operations at the Facility.

14. For each type of hazardous substance, hazardous waste, and industrial waste used or generated by the Company, describe the Company's agreements or other arrangements for its disposal, treatment, storage, recycling, or sale.
 - a. Provide any agreement and document, including waste logs, journals, manifests, or notes, related to any transfer of hazardous substances, hazardous wastes, and industrial wastes from the Company's Facility that came to be located at the Site.
 - b. Provide all correspondence and written communications between the Company and each owner/operator of the Site regarding the Company's hazardous substances, hazardous wastes, and industrial wastes that came to be located at the Site.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Millipore has been unable to locate any agreements between itself and the Site related to waste disposal, treatment, storage, recycling, or sale. Millipore is producing all documents it was able to locate relating to waste disposal and business dealings with the Site. The documents that Millipore was able to locate that reference Protecco or Servicios Carbareon are listed as follows:

- **Document # MIL004812.**
- **Document #'s MIL001037 though MIL001041.**
- **Document # MIL002208.**
- **Document #'s MIL002655 though MIL002656.**
- **Document #'s MIL002692 though MIL002695.**
- **Document #'s MIL003426 and MIL003429.**
- **Document # MIL004687.**
- **Document #MIL004738.**
- **Document #MIL004742.**

- **Document # MIL000394.**
- **Document #'s MIL000413 though MIL00414.**
- **Document # MIL000421.**
- **Document #MIL003818.**

15. Provide agreements and documents related to the following, including waste logs, journals, manifests, or notes, as set forth below:
- a. The locations where the Company sent each type of hazardous substance, hazardous waste, and industrial waste for disposal, treatment, or recycling;
 - b. List all Waste Transporters used by the Company;
 - c. For each type of hazardous substance, hazardous waste, and industrial waste, specify which Waste Transporter picked it up;
 - d. For each type of hazardous substance, hazardous waste, and industrial waste, state how frequently each Waste Transporter picked up such waste;
 - e. For each type of hazardous substance, hazardous waste, and industrial waste, provide the volume picked up by each Waste Transporter (per week, month, or year);
 - f. For each type of hazardous substance, hazardous waste, and industrial waste, identify the dates (beginning & ending) such waste was picked up by each Waste Transporter;
 - g. Indicate the ultimate location for each type of hazardous substance, hazardous waste, and industrial waste. Provide all documents indicating the ultimate disposal/recycling/treatment location for each type of hazardous substance, hazardous waste, and industrial waste;
 - h. Describe how the Company managed pickups of each hazardous substance, hazardous waste, and industrial waste including but not limited to:
 - i The method for inventorying each type of hazardous substance, hazardous waste, and industrial waste;
 - ii The method for requesting each type of hazardous substance, hazardous waste, and industrial waste to be picked up;

- iii The identity of the Waste Transporter employee/agent contacted for pickup of each type of hazardous substance, hazardous waste, and industrial waste; and
- iv The amount paid or the rate paid for the pickup of each type of hazardous substance, hazardous waste, and industrial waste;
- i. Identify the individual or organization that selected the location where each of the Company's wastes were taken. Describe the basis for and provide any documents supporting the answer to this Request.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography, time, or whether the hazardous substances are products or wastes; unduly burdensome; and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only with regard to the Facility as follows:

In addition to the documents identified in response to request number 14, the attached documents which provide information in response to this request include the following:

- Document #'s MIL001006 through MIL001113 contain waste manifests and other related documents included in the Draft Closure Plans.
- Document #'s MIL00114 through MIL001268 contain waste manifests and other related documents.
- Document #'s MIL002189 through MIL002192 contain waste manifests included in the Site Inspection Report.
- Document #'s MIL002782 through MIL002798 contain waste manifests included in the Site Inspection Report.
- Document #'s MIL002847 through MIL002885 contain waste manifests and a related inventory list included in the Site Inspection Report.
- Document #'s MIL001914 through MIL001917 contain a notification of hazardous waste activities included in the Site Inspection Report.
- Document #'s MIL004233 through MIL004595 and MIL004620 through MIL004666 are copies of the reports the Facility filed pursuant to EPCRA, and other related documents.

- Document #'s MIL004672 through MIL004754 contain information regarding shipments of hazardous substances from the Facility for treatment, storage and/or disposal.
 - Document #'s MIL003168 through MIL003310 contain information regarding disposal facilities the Facility may have used.
 - Document #'s MIL000276 through MIL000278 contain a notification of hazardous waste activities.
 - Document #'s MIL000285 through MIL000289 contain hazardous waste manifests.
 - Document #'s MIL000509 through MIL000525 contain hazardous waste manifests and related documents.
 - Document #'s MIL000574 through MIL000614 contain hazardous waste manifests and related documents.
 - Document #'s MIL003610 through MIL003735 contain information regarding disposal facilities the Facility may have used.
 - Document #'s MIL003792 through MIL003818 contain information regarding disposal facilities the Facility may have used and copies of manifests.
16. If not already provided, specify the dates and circumstances when the Company's hazardous substances, hazardous wastes, and/or industrial wastes were sent, brought, or moved to the Site, and identify the names, addresses, and telephone numbers of the person(s) making arrangements for the containers (e.g., 55-gallon drum, dumpster, etc.) holding hazardous substances, hazardous wastes, and/or industrial wastes to be sent, brought, or transported to the Site. Please also provide all documents that support or memorialize the answer to this Request.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

The exact dates when Millipore's hazardous substances and wastes may have been sent to the Site are unknown. Please see the documents referenced in response to request #14.

See Millipore's response to request #25 which lists Facility personnel, some of whom may have made arrangements for hazardous substances, hazardous wastes, and/or industrial wastes to be sent, brought, or moved to the Site, or have knowledge of any such arrangements.

17. Identify, describe, and provide all documents that refer or relate to the following:
- a. The nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all hazardous substances, hazardous wastes, and industrial wastes involved in each arrangement transferring materials from any facility owned or operated by the Company (including the Facility) to any other facility;
 - b. In general terms, the nature and quantity of the non-hazardous substances involved in each such arrangement;
 - c. The hazardous substances being mixed or combined with other hazardous substances or non-hazardous substances for each such arrangement. Indicate whether such mixing or combining is common in the industry. Indicate whether the Company was ever asked to stop mixing or combining the hazardous substances with the non-hazardous substances;
 - d. Other materials other than the hazardous substances that were involved in the transaction;
 - e. The condition of the transferred material containing hazardous substances when it was stored, disposed of, treated, or transported for disposal or treatment;
 - f. The markings on and type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment; and
 - g. All tests, analyses, analytical results, and manifests concerning each hazardous substance, hazardous waste, and industrial waste involved in each transaction. Include information regarding who conducted the test and how the test was conducted (batch sampling, representative sampling, splits, composite, etc.)

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography, time, or whether the hazardous substances are products or wastes; unduly burdensome; and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers only with regard to the Facility as follows:

See Millipore’s responses to #’s 14 and 15.

18. Indicate how long the Company has had a relationship with the owner(s) and/or operator(s) of the Site.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

See Millipore's response to #16.

19. Identify any individuals, including former and current employees, who may be knowledgeable of the Company's operations and practices concerning the handling, storage, and disposal of hazardous substances.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography or time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information "relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup." Subject to these objections, Millipore answers only with regard to the Facility as follows:

See Millipore's responses to #13 and #25.

20. Please provide all documents, if not already requested above, that support your responses to Requests #1 - #19, above.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

All documents that Millipore has been able to identify and which support its responses to EPA's Request are being produced.

21. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:
- a. The Company's document retention policy between 1975 and 2018;

- b. A description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;
- c. A description of the type of information that would have been contained in the documents;
- d. The name, job title, and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents, the person(s) who would have been responsible for the destruction of these documents, and the person(s) who had and/or still may have the originals or copies of these documents; and
- e. The names and most current address of any person(s) who may possess documents relevant to this inquiry.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Millipore has completed a due diligence search of its files and records to identify documents responsive EPA's Request. Any records located that are responsive to the Request, subject to Millipore's objections, have been produced. None of the former employees that may or may not have information related to EPA's Request are currently employed at Millipore. Millipore has no knowledge whether documents that would have been responsive to this Request were destroyed in the past, particularly since it has been over ten years since Millipore Cidra ceased operations at the Facility in 2008.

- a. Millipore's current Records Management and Retention Policy, in effect since 2014, is attached at doc #s MIL000010 through MIL000057. Prior to 2014, Millipore had no company-wide document retention policy.**
- b. If documents were destroyed, such destruction was unrelated to their content.**
- c. The nature of any such documents is unknown.**
- d. The former General Managers of the Facility would likely have the most information on this topic. To the extent Millipore has been able to identify them, they are listed in Millipore's response to request #25.**
- e. Millipore is not aware of any persons that may possess documents relevant to this inquiry.**

As part of Millipore's due diligence to respond to this Request, Millipore evaluated searching email records. However, Millipore only retains emails for a period of 10 years (pursuant to its Records Management and Retention Policy). Since the Facility closed in 2008 and the Site ceased accepting waste in late 1990s, it is extremely unlikely that emails regarding the Site would exist in the last 10 years. While Millipore does retain some legacy

archived media older than 10 years, the ability to access and search these records is extremely time and resource intensive and unduly burdensome, especially in light of the fact that it is extremely unlikely any responsive emails would exist.

22. Please provide copies of the Company's financial statements, shareholder's reports, financial audits, or other financial reports showing its assets, profits, liabilities, and current financial status for the last five years.

ANSWER:

In addition to the General Objections in Attachment A, Millipore objects that this request as overbroad in that it has no limitations regarding geography or time, unduly burdensome, and the scope of materials sought is not relevant for EPA to pursue information “relating to materials generated, treated, stored, or disposed of at, or transported to the facility; the nature or extent of a release or threatened release of a hazardous substance, pollutant, or contaminant at or from a facility; and the ability of a person to pay for or perform a cleanup.” Subject to these objections, Millipore answers as follows:

Below is a link to Merck KGaA, Darmstadt, Germany’s reports and financials webpage. As previously stated, Millipore is a wholly owned subsidiary of Merck KGaA, Darmstadt, Germany. The annual reports and other financial information for the last five years are available at this link. These reports set forth much of the information requested. Due to the size of the documents, we are not producing them with this response.

<https://www.emdgroup.com/en/investors/reports-and-financials.html>

23. List and provide a copy of all agreements or contracts, including but not limited to insurance policies and indemnification agreements, held or entered into by the Company or its parent corporation(s), subsidiary, or subsidiaries that could indemnify it against any liability that it may have under CERCLA for releases or threatened releases of hazardous substances at and from the Facility. In response to this Request, please provide not only those insurance policies and agreements that currently are in effect, but also provide those that were in effect during the period(s) when any hazardous substances, hazardous wastes, and/or industrial wastes may have been released or threatened to be released into the environment at or from the Facility.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

After conducting a due diligence search of files and records, Millipore was unable to locate any agreements or contracts that specifically indemnify it against liabilities Millipore may

have under CERCLA for releases or threatened releases of hazardous substances at or from the Facility or the Site. Provided however, Millipore has maintained general liability insurance policies during the relevant time period, but Millipore has not analyzed whether or not those policies provide such coverage. At this time, Millipore has not included copies of such policies with this response. However, if EPA would like for Millipore to produce such policies, Millipore is willing to discuss this with EPA.

Millipore has also identified documents in its files regarding the Facility fulfilling its RCRA financial assurance obligations in the early to mid-1980s. Millipore has not included such documents in response to the Request since they did not appear responsive, other than documents regarding the closure and post closure plans prepared during that time since such plans relate to the waste operations of the Facility. If EPA would like for Millipore to produce all of its RCRA financial assurance documents from the early to mid-1980s, Millipore is willing to discuss this with EPA.

24. State whether any claim or claims have been made by the Company to any insurance company for any loss or damage related to operation at the Site, and if so, identify each claim by stating the name of the claimant, the name and address of the insurance company, the policy number, the named insured on the policy, claim number, date of claim, amount of claim, the specific loss or damage claimed, the current status of the claim, and the amount, date, and recipient of any payment made on the claim.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

No such claim or claims have been made.

25. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

Persons that may be able to provide more details in response to EPA's Request are listed below. The individuals listed below as Facility Personnel and Millipore Corporate Personnel are all former employees. Millipore is attempting to obtain the last known contact information for such persons, and will supplement this response with any available information. At this time Millipore has not contacted any of these individuals, so it is unknown what additional information or documents they may have, if any.

Facility Personnel:

Hector Ramos, EHS Manager

Ruben Chevre, General Manager, 1989 - 1992

Herminio Figueroa, Plant Services Admin

Minerva Cartagena, Chemist

Ernesto Rosa

Edwin Barbosa, Environmental Engineer

David Santiago, Environmental Engineer

Lizardo S. Mattei, Facilities Manager

Neftali Baco, Engineering Director

Ricardo J. Lugo, Plant Manager

Carmen Longoria

T. Arrigo

Felix Adorno, Operations Manager

David Aponte, Engineering manager

David Bradstreet, Plant Manager, 1990 – 2000.

Victor Francisco Pagan Cordero

Ismael Coreano Gonzalez

Gaston de los Reyes

Ernesto Rosa Bigio

Diego Loinaz

Hugo Mendez

David Santiago Gaetan, Environmental Engineer

Elsie Rayes, Human Resources Director

Millipore Corporate Personnel:

David Newman, Corporate Director of EHS

Patricia Davies, Director of Health, Safety, and Environmental Affairs

Timothy Hines, Director of Manufacturing, Operations and General Manager for Millipore Cidra, 2002 – 2004.

Robert J. Archer, Director, Health, Safety and Environmental Affairs

Dr. Alan Joseph Weiss

Other Persons

Joseph Lysonski, Anderson Mulholland

Jerry Marrero, Attorney, O'Neill & Borges LLC

26. State the name, title, and address of each individual who assisted or was consulted in the preparation of the response to this Request for Information. In addition, state whether this person has personal knowledge of the information in the answers provided.

ANSWER:

Subject to the General Objections in Attachment A, Millipore answers as follows:

The individuals who assisted with or were contacted in the preparation of this response are listed below.

**Jesica Betts, Senior Paralegal
Sigma-Aldrich Corporation
3050 Spruce Street
St Louis, MO 63103**

This individual possesses no personal knowledge of the information in the answers provided.

**Philip Colonna, Program Manager – Integrated Supply Chain Operations
EMD Millipore Corporation
400 Summit Drive
Burlington, MA 01803**

This individual possesses no personal knowledge of the information in the answers provided other than with regard to the preparation of the 2014 RCRA FIR.

**Leigh Davidson, Corporate Counsel
Sigma-Aldrich Corporation
3050 Spruce Street
St Louis, MO 63103**

This individual possesses no personal knowledge of the information in the answers provided.

**Michael Landadio, National Security Officer
EMD Millipore Corporation
400 Summit Drive
Burlington, MA 01803**

This individual possesses no personal knowledge of the information in the answers provided other than with regard to the preparation of the 2014 RCRA FIR.

**Jerry Marrero, Attorney
O'Neill & Borges LLC
250 Ave. Muñoz Rivera, Ste. 800
San Juan, P.R. 00918**

This individual possesses some personal knowledge relating to environmental conditions at the Facility and the sale and lease back of the Facility in 2006.

**Daniel Trinkle, Associate General Counsel
EMD Millipore Corporation
400 Summit Drive
Burlington, MA 01803**

This individual possesses no personal knowledge of the information in the answers provided.

**Brad Zelch, EHS Country Coordinator US/Canada
2838 Olive Street
Saint Louis, MO 63103**

This individual possesses no personal knowledge of the information in the answers provided.

**Dale Guariglia, Partner
Bryan Cave Leighton Paisner, LLC
211 North Broadway
Suite 3600
St. Louis, MO 63102**

This individual possesses no personal knowledge of the information in the answers provided.

**Kamilah Jones, Associate Attorney
Bryan Cave Leighton Paisner, LLC
211 North Broadway
Suite 3600
St. Louis, MO 63102**

This individual possesses no personal knowledge of the information in the answers provided.

**Jeremy Minster, Paralegal
Bryan Cave Leighton Paisner, LLC
211 North Broadway
Suite 3600
St. Louis, MO 63102**

This individual possesses no personal knowledge of the information in the answers provided.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State/Commonwealth of Massachusetts

County/Municipality of Middlesex

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that I am under a continuing obligation to supplement my response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or my response thereto should become known or available to me.

On this 21st day of May, 2019, before me, the undersigned notary public, personally appeared Christos Ross, who is personally known to me, is the person whose name is signed herein, and acknowledged to me that he/she signed it voluntarily in the preceding or attached document in my presence.

Diane Deczynski

Diane Deczynski, Notary Public
My Commission Expires: February 28, 2025

Christos Ross

NAME (print or type)

Executive VP operations

TITLE (print or type)

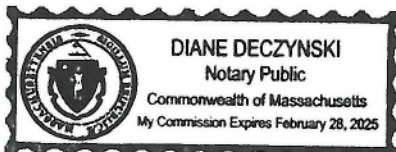
[Signature]

SIGNATURE

Sworn to before me this

 day of 2019.

Notary Public



ATTACHMENT A

General Objections

EMD Millipore Corporation (“Millipore”) asserts the following General Objections to the Requests, and Millipore hereby incorporates each of the General Objections in each and every response to the individual requests. To the extent that Millipore responds to a specific Request, Millipore does not waive any objections through its providing information.

1. Millipore objects to the Request to the extent the Request exceeds the scope of EPA’s authority under the statutory references cited in the Request.
2. Millipore objects to the Request as overly broad and unduly burdensome. Specifically, Millipore objects to the Request to the extent it imposes any burden on the company not imposed by applicable provisions of the EPA. Millipore further objects to the Request because the Request seeks information regarding activities at a level of detail that is impossible to provide without significant burden, if at all.
3. Millipore objects to the Request on the grounds that it is vague, ambiguous, overbroad, unduly burdensome, and seeks information that is neither relevant nor material or otherwise redundant. Specific terms in the Request that are vague and ambiguous are objected to in each individual Request, as applicable. Millipore has made a good faith effort to define the scope of the Request despite the Request’s ambiguity and to provide EPA with the information it requests.
4. Millipore objects to the Request to the extent it seeks information protected from disclosure by the attorney-client privilege, the attorney-work product doctrine, the joint defense privilege, and any other legally cognizable privilege. An inadvertent production of the same shall not be deemed a waiver of any such privilege or doctrine, nor shall any intentional production of a document subject to such privilege or doctrine waive such privilege or doctrine for other related documents.
5. Millipore objects to the Request to the extent that it asks the company to make legal conclusions.
6. Millipore objects to the Request to the extent that it seeks information outside of the company’s possession, custody, or control.
7. Millipore objects to the Request to the extent it seeks confidential and/or personal information regarding third parties, such as current or former Millipore employees.

8. Millipore has made a diligent, thorough, and good faith effort to interview employees, review its paper and electronic files, and obtain documents and information responsive to the Request. However, certain responses to the Request are based on the best information available, and Millipore reserves its right to supplement this Request. Additionally, Millipore submits its Response without waiving, and intending to preserve all of:
 - a) its objections to the competency, relevancy, materiality, authenticity, and admissibility of any documents produced, testing performed, or to the subject matter thereof;
 - b) its rights to object on any ground to the use of any information disclosed, or the subject matter thereof, in any subsequent proceedings, including any civil or administrative trial based upon the information submitted in this Response or any other action;
 - c) its constitutional rights including without limitation the right to due process;
 - d) its rights to object on any grounds to these information or discovery requests;
 - e) its rights to amend any responses and objections herein; and
 - f) any other rights and objections available at law.
9. Millipore objects to the Request to the extent it attempts to impose any continuing duty to supplement these responses on the basis such duty is unreasonable and beyond EPA's authority under 42 U.S.C. §§ 9601-9675. Notwithstanding this objection, Millipore reserves the right to supplement, modify, and/or amend this Response if new or additional information is discovered